

STORIES CONFLICT AS TO DOROTHY ARNOLD

Dead, Father and Lawyers Say; Unharmful, Commissioner Flynn Maintains.

MRS. ARNOLD STILL ABROAD

Sailed Suddenly on News from Griscorn—Ticket Agent Insists Young Woman Asked About Steamer Tickets.

It was practically admitted yesterday by the lawyers retained by Francis R. Arnold to aid in the search for his missing daughter, Dorothy H. C. Arnold, that Mrs. Arnold, the girl's mother, was remaining in Europe with the hope of finding Miss Dorothy there.

Not until they were confronted with a copy of the passenger list of the French steamer La Lorraine for January 5, which had on the supplementary list the names of Mrs. F. R. Arnold and J. W. Arnold, would the lawyers admit that the mother had gone to Florence, Italy, with the girl's brother to confront Mr. Griscorn, and following the same method they refused to admit yesterday that the missing girl was still abroad.

Lorenzo D. Armstrong, of the firm of Garvan & Armstrong, attorneys for the Arnold family, said yesterday in response to persistent questions that Mrs. Arnold was still abroad, but he declared he did not know just where she was, because she was travelling around. On December 14, two days after she disappeared, Mr. Armstrong said this cable was sent to George S. Griscorn, Jr., in Florence:

"Dorothy is lost. Family prostrated. Can you help locate her?" and the next day the cable answer from Mr. Griscorn was, "Know nothing of whereabouts of Dorothy."

Mrs. Arnold Sought Griscorn.

Not satisfied with this answer, the lawyer said, Pinkerton agents in Europe were dispatched to the Italian city to further interview Mr. Griscorn, and on their reports, received some twenty days later, Mrs. Arnold and her son took the boat immediately.

So hurried was their departure that they did not even wait to engage state-rooms in advance, but caught the first boat leaving after the receipt of the news from Florence, with the result that their names were not printed as among the passengers until the supplementary lists were put out after the boat sailed.

Mr. Armstrong admitted that the first serious clues worked on by the family after the first hurried examination of the needed cards of the local hospitals were those relating to a possible elopement.

ment. At the same time that the Griscorn matter was proceeding detectives in this city were engaged in tracing down the relations of three other young men who had been friendly with Miss Dorothy, one of whom, said the lawyer, had frequently sent her flowers.

They were not ready to eliminate Mr. Griscorn as a possible motive for the girl's disappearance, he said, until after Mrs. Arnold and her son talked with him in Florence, but they declare now that, not only had Mr. Griscorn nothing to do with the strange case, but neither had the other men whom they had looked up.

Up to yesterday, when it was supposed that Mrs. Arnold was still in this country, Mr. Armstrong insisted that the mother was in a position to be right at hand if any definite news of the daughter's whereabouts was obtained.

Lawyer Declines to Answer.

"Isn't it the fact, then, that Mrs. Arnold is remaining abroad because she still expects to find her daughter there?" he was asked, but the lawyer declined to answer.

Herbert J. Carroll, the steamship ticket agent at the Raymond & Whitcomb office, in Fifth avenue, who told of the inquiries of a girl answering Miss Arnold's description, added to his statement yesterday that the girl had made inquiries also about a transatlantic voyage, and had taken circulars and literature descriptive of various European tours as well as those of the West Indies.

"I am morally sure that the young woman was Miss Arnold," said Mr. Carroll yesterday, "and, as I recall the conversation now, she made general inquiries about a cruise to Europe and about winter tours, and I myself suggested the West Indies. She did not mention any particular port, or even country, but from the way she talked I certainly expected she would be back to purchase transportation at a later date."

By Mr. Carroll's office associates it was recalled yesterday that his faculty for remembering faces was responsible for the apprehension of one "Sam" Baker, who had stolen some \$40,000 worth of silver from the Gorham Company. Detectives on the case tried a chance shot when they applied to Mr. Carroll with a description of the man wanted, but they were well rewarded when he was able to tell them that a man answering their description had bought passage to Cuba. In Havana the detectives later found their man, and traced a great part of the silverware to a hotel there to which Baker had sold it.

No Trace of Miss Arnold.

Mr. Carroll explained yesterday that the quickest way to reach Florence would be by way of Havre, and from the French port by rail to Florence, but careful examination of the complete passenger lists of the French line boats since December 12 disclosed no name which might have shrouded the missing Miss Arnold.

After repeated questions the lawyers for the family admitted last yesterday afternoon that the folders of several transatlantic lines had been found in Miss Dorothy's room after her departure. It was learned also from the Raymond & Whitcomb agency, and not denied by the lawyers, that an elderly woman answering the description of Mrs. Arnold had made inquiries there some time after the middle of December as to whether a young woman answering Miss Arnold's description had bought transatlantic tickets there. Mr. Carroll was not in the office at the time, and she did not hear his story.

Mr. Armstrong said yesterday that Mrs. Arnold's last words before she embarked were: "If the story ever appears in the papers, I will never come back."

Commissioner Flynn, who has been told the entire story by the Arnold lawyers, they said, still holds to the belief that the missing girl is unharmful and will turn up. The Central Park lake was not dragged by police, park employees or private detectives yesterday, nor, according to the Park Department, was it likely to be.

Say Lake Was Frozen.

The lake for a distance of something more than twenty feet from any side does not attain a depth of four feet, and the park employees insist that there was a substantial sheet of ice covering it several days before and up to December 12. On that day and succeeding days men were busy daily scraping the ice preparing it for skaters, and in the event that a hole had been chopped in the ice through which to drop the girl's body, a theory advanced only by her father, these scrapers could not have failed to note the thinner ice at such a point when scraping the next day.

Mr. Armstrong allied himself with Mr. Arnold yesterday in the positive declaration that he believed the missing girl was dead. The lawyer also said positively that the story told to the police tallied exactly with the story told the newspapers, but confessed that he could not then explain why Commissioner Flynn should feel so sure the girl was unharmful.

Builders Issue Warning

Wall Street Strike Must End or Unions Face Lockout.

The unions of five of the building trades on strike on the building at No. 2 Wall street have received an ultimatum from the board of governors of the Building Trades Employers' Association. That a general lockout of these unions will take place unless the strikers are at work today was, in effect, the notice served on the unions.

The unions involved in the strike, which is against the employment of non-union structural iron workers, include the host of engineers, sheet metal workers, plumbers, steamfitters and electrical workers. If the lockout is enforced it may involve sixty thousand building mechanics.

Several days ago the arbitration boards of these trades, consisting of an equal number of union men and employers in each trade, ordered the strikers back to work, as the strike was in violation of agreements. The employers alone obeyed the order. The employers did not join in the strike. On behalf of the board of governors it was stated yesterday that no further warning would be issued to the unions.

SHEEP OF SEVEN HUES NOW

Latest Offer to the Mayor Comes from a Man in Texas.

Who wants a sheep, all wool, of seven colors and a yard wide? Uno Toopervan, of San Antonio, Tex., has written to Mayor Gaynor offering to sell the queer beast to the city. The letter will be referred to the director of the Zoological Gardens.

Mr. Toopervan says that his sheep comes from Mexico, that there are seven distinct colors in his coat—faller colors, that because in spite of the fact that the animal has been sheared twice the colors always come back in the same shades. If his story is not believed, Mr. Toopervan says, he will not take any money for the animal until after the city has had a chance to enforce it and see for itself.

STRAUS PRAISES ROCKEFELLER.

Mr. Straus said he had often been bitterly reviled for his work for the babies, but had maintained his courage by his personal love for the work and the support and encouragement of men like Dr. Jacobus and John D. Rockefeller. He referred to the latter as "another great man who is doing more than any other today for the benefit of humanity."

Mr. Rockefeller wrote to him this year, the speaker said, as follows: "Your noble example stimulates others to their best endeavors for the uplift of mankind."

Mr. Straus beamed that his personality in the cause be forgotten and that the one he had a chance to enforce it and see for itself, he considered that it was necessary to carry on the work to save many lives and prevent much sickness.

Controller Prendergast presented Mr. Straus with an album containing the autographs of all the city officials, beginning with Mayor Gaynor. He said that he had been delegated to make the presentation as a token of the appreciation in which the city officials held Mr. Straus for the good he had done the city. The album was inscribed with the date and occasion, with this legend added:

"The hope of our nation and humanity lies in the cradle."

TRIBUTES PAID TO STRAUS

Dix in Long List of Notables at Testimonial Dinner.

Taft SENDS A MESSAGE

Guest of Honor, Says McAneny, Has Shown the City What It Should Do.

In an atmosphere where real Robinetta is usually supposed to reign a remarkable gathering of men of public affairs and distinction in private life, together with several hundred of just plain citizens and their wives, attended the dinner given last night as a testimonial to the philanthropic work of Nathan Straus at the Cafe Boulevard, at 11th street and Second avenue.

Governor Dix sat at the guest table between Mr. Straus and General Nelson A. Miles, while William Randolph Hearst was flanked on either side by John D. Rockefeller, Jr., and Murza Ali-Kuli Khan, the Persian Ambassador. All-President McAneny, Controller Prendergast, the Rev. Roy C. MacArthur, Chairman Wilcox of the Public Service Commission, Edward Lauterbach, Professor Abraham Jacob and Marcus Braun were among others at the guest table.

Congressman William S. Bennett acted as toastmaster, at the request of Henry W. Rogers, chairman of the dinner committee. The entire restaurant had been given over to the dinner, and was elaborately decorated with bunting and the flags of all nations.

All the speakers paid a high tribute to the public spirit, benevolence and philanthropy of the guest of honor. Referring to General Miles as a great warrior who had accomplished many victories and to Mr. Straus as a man of equal accomplishments in the field of philanthropy, Congressman Bennett introduced Governor Dix as a man who had achieved political success.

Reads Message from Taft.

Before Governor Dix began to speak the toastmaster read the following telegram from President Taft:

"The White House, Washington, January 30, 1911. Gentlemen: I thank you for your kind invitation to attend the dinner to be given to Mr. Nathan Straus in New York to-morrow night. I regret that my official engagements make it impossible for me to be present, but I am very glad to hear of Mr. Straus's public spirit and his work in improving the condition and health of the people. His efforts are a source of pride to the nation and should make it a pleasure for all to unite in honoring him with this banquet."

With these words the assembled guests, believe me, sincerely yours, WILLIAM H. TAFT.

To the Nathan Straus Dinner Committee, Henry W. Rogers, chairman.

"It is a pleasure to join with you in paying tribute to an honored citizen," said Governor Dix, "a man of lofty ideals, whose devotion to humanity is world wide. Honored in this country and other countries because of his devotion to his fellow men, he has lived a life worthy of emulation by all young men."

His career is a source of pride to the nation, and he has devoted a large portion of his life, means, thought and fidelity to the care of the younger children, and through his tender mercies many thousands of them are living today who might otherwise have perished."

Governor Dix proposed a toast to the guest of honor, which was drunk standing. Borough President McAneny, who followed Governor Dix, said that it was fitting for representatives of the municipal government to be present and pay tribute to one who had done a great service not only to the city but to the whole country.

Shown the Way to the City.

"Mr. Straus has demonstrated what the city should do for its people on a larger scale," said Mr. McAneny. "There should be a far larger degree of expenditure for what we may call the social service department of municipal affairs, the things which Mr. Straus has done privately. There is nothing more important and more urgent upon us than this kind of work, and I hope we will have the funds to do much more of it this year."

Mr. Hearst included in his address a vivid arraignment of the trusts. After saying that he had come three thousand miles to attend the dinner and paying Mr. Straus an ample compliment for his representation of citizenship and business, Mr. Hearst said:

"I believe that no man should accumulate wealth except through service to the community. A great department store, conducting so many varied branches on so wholesale a plan, is not a combination to increase the cost of living, but a combination to reduce the cost of living."

"Any man who acquires a fortune by reducing the cost of living is entitled to the wealth he accumulates and to the gratitude of the people as well."

Mr. Straus's charity is true charity, for he gives to the poor out of that which he has honestly earned and which is rightfully his to give.

"It has become too much the fashion nowadays for men to steal liberally from the public and then pose as benefactors by returning some portion of the plunder as charity."

"That kind of contribution is not charity. It is conscience money, and those who accept it do but compound a felony."

Mr. Straus, in his address, reviewed in brief measure his efforts during the last twenty years to lessen the mortality among babies in the cities by insisting upon the use of sterilized milk.

"Babies Would Not Let Me Stop."

"There have been times of strenuous fighting—times when I have been on the point of giving up," he said. "Then I would get letters from mothers—letters that made me see that I had to go on. It is because the mothers and the babies would not let me stop that I am here to-night."

"It is because the cause for which I have fought has been the cause of the babies that you are here to-night. I do not want to stop this demonstration as a personal triumph, but as proof of widespread approval of the principle that the babies must be protected from the preventable diseases that are often conveyed to them in milk."

"I am deeply thankful that many others have been led into this field, that plans are under way for the establishment of sixty infant milk depots in this city, that men and women have taken up this work in many other cities, both in this country and abroad, that the United States government is about to carry on the work that I started in Washington, that the Dowager Duchess of Baden is the enthusiastic patron of the pasteurized milk depots of Karlsruhe, that Lady Aberdeen is providing this means of protecting the babies of Dublin, that municipal milk depots will soon supplement in this city the stations that I am maintaining, and those that are to be started by the organization formed by J. Borden Harriman."

Straus Praised Rockefeller.

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COLOR ITS DOMINANT NOTE

Charity Ball at Waldorf Blends Yellow and Red and Blue.

ARMY AND NAVY PROMINENT

Governor Dix, in Grand March, Gets Greetings from Patrons of Children's Benefit.

Graced by the presence of the Governor of the state and the commanding general of the Department of the East, the grand march of the annual Charity Ball, on which the New York Nursery and Child's Hospital depends almost entirely for support, closed into the main ballroom of the Waldorf-Astoria at 11 o'clock last night.

Color was its dominant note. The yellow badge of the chairman of the floor committee showed prominently at its head, while behind streamed the red ribbons of his command, some seventy strong, and the blue of the members of the Charity Ball Society. Mrs. Alphonso Sydney Sullivan, president of the hospital, followed, bringing in her train the board of directors and managers. After them came the guests of the ball, Governor Dix, Major General Grant, Rear Admiral Leuze and their respective staffs. Mrs. Dix, Mrs. Grant and Mrs. Leuze, with their husbands and those favored patrons invited to take part in the opening dance. Gentlemen of the army and navy, the St. Christopher League of the hospital and the members of the Gramercy Guild completed the procession.

It was fifty-three years ago that the first Charity Ball was given for the benefit of this institution, the pioneer of its kind in America. Three years before that the hospital had been founded to care for children under twelve years of age who at that time could gain admission to no hospital in New York City. From the first the annual balls were a success, each improving somewhat on the one before, until last year 2,700 people took part in the affair and the net receipts totaled \$15,000.

It is estimated that more than three thousand tickets were sold this season and will be added to the funds of the hospital.

As early as 9 o'clock last night autos and carriages began to deposit these conscientious ones who had duties to perform in connection with the dance at the 33d street entrance of the hotel. It was not long, however, before those who came only for their own individual pleasure or because they had been induced to buy tickets, began to fill the richly decorated halls. Everyone wished to beat the Governor there, and nearly everyone had his wish granted. The Governor had to partake, in all decorous leisure, of two formal meals before he was allowed to take the hall of Kayser's Orchestra, especially when the Governor is there, takes long enough. But there were two.

When the Governor did finally arrive, nearly all of the boxes in the main hall were occupied, and so thick was the crowd under the balconies that more than one fair damsel was obliged to climb up on a chair to get a glimpse of him.

No other function interfered with its success. The Charity Ball Society brought almost all of its three hundred members along and the Gramercy Guild, which might have enticed away a lot of the debutantes to a dance at Sherry's, supported loyally. Soon after the Governor and the Mayor and East rooms had been opened to the whirling throng, a fresh influx came in the shape of the tuxedo-givers.

Almost as it started, the ball was at its height. Society of every class touched elbow, but as it was all for the cause of suffering little children, none drew back.

REVERSE OF BALDWIN VIEW

New Jersey Decision Recalls Roosevelt Controversy.

By Telegram to The Tribune. Trenton, N. J., Jan. 31.—Judge Reibstab handed down a memorandum in the United States Circuit Court here today dismissing a demurrer in a damage suit against the Lehigh Valley Railroad which attacked the constitutionality of the employers' liability act of 1908.

This is the first decision sustaining the constitutionality of the act in New Jersey, and is antithetical to the now famous decision of former Judge Simeon E. Baldwin, now Governor of Connecticut, in the case of Hoxie against the New Haven Railroad, over which the controversy between ex-President Roosevelt and Judge Baldwin arose.

McCarte & English, counsel for the Lehigh Valley company, will carry the case to the United States Supreme Court. Richard J. Doran, counsel for the plaintiff, brought five motions to test the common law, the employers' liability act of New Jersey and the United States Employers' liability act of 1908. It was held that the United States act superseded the common law and the New Jersey act. In Alabama and in Mississippi decisions have held that benefits may be secured under all three acts.

In his opinion Judge Reibstab cites the cases of Watson against the Iron Mountain & Southern Railroad Company, Wash. act. the New Haven Railroad Company, and others, where the constitutionality of the act of Congress in 1908 was upheld. Judge Reibstab then said that the duty of the court was plain, to sustain the constitutionality of the act.

Charles Anderson, of Jersey City, an engineer, was killed while running a heavy freight train into Jersey City. His widow complained that his death was due to negligence of the Lehigh Valley Railroad Company in that its tracks were defective and that proper inspection of the train was not made. Damages of \$10,000 were asked.

BROKER'S WIFE ASKS ALIMONY

Counsel Tells Court Edward B. Van Dyck Is No Longer Rich.

Mrs. Irene A. Van Dyck, wife of Edward B. Van Dyck, a member of the Cotton Exchange, asked Justice Gerard, through counsel, yesterday for alimony and counsel fee. The couple were married in 1904, and have one child.

Mrs. Van Dyck's counsel said the defendant was in the habit of taking home to his wife various memoranda showing the amount of his income, which figured up to about \$2,000 a month. He added that on June 10 last the couple entered into an agreement whereby Van Dyck was to pay his wife \$500 a month, but the sheriff has returned an execution as unsatisfied.

Counsel for Van Dyck said it was true that his client had been in receipt of a large income, but that he had not been making enough to maintain himself.

Justice Gerard reserved decision on the application.

CHANDLER INVENTORY FILED

Author of "Who's Looney Now?" Is Worth More Than a Million.

Thomas T. Sherman, committee of the estate of John Armstrong Chandler or Chandler, who is incompetent in New York but competent in Virginia, where he makes his home, filed his annual inventory yesterday in the Supreme Court.

Chandler's interest in a trust estate created by John Winthrop Chandler, was placed at \$32,759. His interest in numerous parcels of real estate amounted to \$39,394. He also had an interest with a trust company in this city \$20,575.

Chandler is living at Merry Mills Farm, Coham, Albemarle County, Va., an estate of 60 acres, valued at \$12,000.

BOYS PLEAD FOR PRINCIPAL.

Twenty-five members of the highest grade of Public School 19, No. 314 West 11th street, marched down to the City Hall yesterday to protest against the transfer of John H. Grotekloss, their principal. They wanted to tell the Mayor what a fine man was Mr. Grotekloss and say that the school could not possibly exist without him. The Mayor was busy, and Robert Adamson, his secretary, told the boys that the Mayor had nothing to do with transferring school officials and teachers. He advised them to present their case to President Winthrop of the Board of Education.

"BIG FEED" FOR AN EX-MAYOR.

Ex-Mayor Daniel D. Whitney and his descendants celebrated his ninety-second birthday yesterday at No. 10 Poplar street, Brooklyn, although his birthday was Monday. An usual, the ex-Mayor went to his grocery, No. 28 Fulton street, yesterday morning. On the way many people stopped him to offer their congratulations. The family celebration last night consisted of what the ex-Mayor called, "a big feed."

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